

Serial No. 10/099,769
Filing Date: March 14, 2002

Examiner: L.L. Zheng
Art Unit 1742

REMARKS

Claims 44 – 58 and 60 - 74 are pending.

Claim 60 has been amended.

The Examiner had rejected claims 60–66 and 74 under 35 U.S.C. 112. The applicant had amended claim 60 and believes that this rejection is now no longer applicable.

The Examiner rejected claims 44, 51, 58, 60, 67, and 74 under 35 U.S.C. 103 over U.S. 5,449,415 (Dolan) in view of U.S. 6,419,731 (Inbe). The Examiner further rejected claims 45-50, 52-57, 61-66, and 68-73 under 35 U.S.C. 103 over Dolan in view of Inbe in further view of U.S. 6,103,815 (Wada).

In response to the foregoing rejections, the applicant hereby submits the declaration of inventor Gerald Wojcik (the "Declaration"). The Declaration establishes the conception and reduction to practice of the invention claimed in this application, in this country, prior to April 20, 2000, which is the earliest possible priority date of the Inbe reference. Specifically the Declaration demonstrates the use of various compositions comprising (a) a source of tungstate ions, (b) a soluble material comprising zirconium and (c) a soluble aluminum salt for the surface treatment of aluminum metal surfaces. Thus, the Inbe reference has been overcome and is no longer effective for use in the rejections. Finally, without the Inbe reference, the rejections are clearly not applicable even if the Examiner's logic is accepted.

CONCLUSION


It is believed that the rejections have been overcome and that this application is in a condition for immediate allowance. Such action is earnestly sought. If the Examiner

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perceives of any reason why this application should not be allowed she is requested to contact the undersigned prior to issuance of the next Office action.

Respectfully Submitted,



John L. Cordani, Reg. No. 37,297
Carmody & Torrance LLP
50 Leavenworth Street
P.O. Box 1110
Waterbury, CT 06721-1110
(203) 578-4271